

Congress of the United States
House of Representatives

Washington, DC 20515

June 12, 2012

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The Hon. Beverley Swaim-Staley
Secretary
Maryland Department of Transportation
PO Box 548
7201 Corporate Center Drive
Hanover, MD 21076-0548

Dear Secretary Swaim-Staley:

I am writing regarding the planned project to improve the intersection between Cedar Lane and Rockville Pike. As you may know, residents of the Locust Hill community are concerned about the "Phase 4" project that calls for construction of a segment of roadway on Rockville Pike north of Cedar Lane (which then merges back into the existing roadway) and replacement of the vegetated hillside with a concrete wall. They have raised questions about whether this project is an efficient and effective use of \$11 million in traffic mitigation funds and fear that it creates safety risks for Rockville Pike traffic and for the Locust Hill community.

I would appreciate your reviewing the attached letter to me from the Locust Hill Citizens' Association and advising me of SHA's positions with respect to the following:

- (1) The efficacy of this project, and, in particular, whether it will have the desired effect in light of the other ongoing mitigation projects as well as the changes in traffic patterns caused by the recent addition of the North Wood Road traffic light; and
- (2) The process for obtaining a final decision from OEA on this project and the expected timing of that decision.

Finally, I would urge you to schedule a meeting between the relevant SHA officials and the community stakeholders to discuss these issues more fully and to address the community's concerns about this project.

Please direct all correspondence to me at to the following address:

51 Monroe Street, Suite 507
Rockville, MD 20850
FAX: (301) 424-5992

If you need additional information, please contact Alex Wong in my Rockville office at (301) 424-3501 or by email at alex.wong@mail.house.gov.

Thank you for your assistance.

Sincerely,



Chris Van Hollen
Member of Congress

LOCUST HILL CITIZENS' ASSOCIATION

9719 Bellevue Drive
Bethesda, Maryland 20814
May 21, 2012

Hon. Christopher Van Hollen
United States House of Representatives
1707 Longworth House Office Building
Washington, DC 20515

Re: MD State Highway Administration Application for OEA Funding- Cedar Lane

Dear Rep. Van Hollen:

I write on behalf of the Locust Hill Citizens Association ("LHCA") to request your urgent assistance regarding the review by the Defense Department's Office of Economic Adjustment ("OEA") of the application by the Maryland State Highway Administration ("SHA") for BRAC-relating funding for improvements at the Cedar Lane – Rockville Pike intersection. This intersection is located immediately north of the newly-merged Walter Reed National Military Medical Center campus.

It is our understanding that a draft of SHA's proposed funding application has been submitted to OEA for preliminary staff review and comment, prior to SHA's submission of its formal application. Thus, your intervention at this point would be timely.

Summary

LHCA's concern is with "Phase 4" of the Cedar Lane project, which requires the construction of approximately 1,000 feet of roadway north of Cedar Lane and the removal of several hundred feet of wooded hillside. We believe that SHA's proposed scope for Phase 4 is an inefficient and ineffective use of \$11 million of OEA traffic mitigation funds that also creates unnecessary safety risks for Rockville Pike traffic generally and the Locust Hill community in particular.

We thus request that you support our efforts by: (1) ensuring that OEA requires SHA to analyze the costs and benefits of alternative approaches to Phase 4 that are potentially less disruptive prior to approving funding; and (2) confirming with OEA that this review would not delay OEA approval of other SHA funding applications. A more detailed description of LHCA's approach is set out under "LHCA's Request," below.

LHCA believes that SHA's current Phase 4 proposal reflects the sequence of events in the project's developmental history, and fails to explore fully alternatives for achieving the project's traffic mitigation objectives that might be considered were the project to be planned today.

LHCA's concerns are supported by an engineering report commissioned by LHCA and attached to this letter. The engineering report concluded that if the new (August 2011) Navy-funded North Wood Road exit signal at the northern end of the Walter Reed facility remains in use, Phase 4, as currently planned, will confer no meaningful traffic mitigation benefits. SHA did not dispute this finding at a recent meeting with LHCA. Thus, under current plans, the potential exists for the expenditure of OEA Phase 4 funding to have achieved no meaningful benefits, should the signal remain on, when an alternative approach might confer long-term traffic mitigation value.

We note, for example, that under current SHA protocols, decisions regarding the future use of the exit signal are to be made in 2015, based on empirical traffic studies to be undertaken at that time. Yet, it is our understanding that SHA plans to commit OEA construction funding for Phase 4 in 2014, that is, prior to the time an analysis of the traffic signal's future use will be made.

We thus believe that OEA should require SHA to consider alternative means to achieving Phase 4's traffic mitigation objective, such as those involving long-run use of the North Wood Road exit signal. Such an OEA alternatives-analysis requirement would reflect not only the wise stewardship of scarce federal tax dollars, but also is necessitated by the National Environmental Policy Act. That Act mandates that agencies consider less environmentally disruptive alternatives when a project proposed for federal funding involves significant environmental impacts, such as Phase 4's removal of wooded hillside. This hillside serves as a buffer between Rockville Pike and the service road and its residences. Indeed, the potential for less environmentally disruptive alternatives should preclude any exemption of Phase 4 from NEPA requirements, as SHA has reported it has obtained for Cedar Lane's Phases 1-3.

We believe that LHCA's request should not delay OEA's review and funding of the remainder of funds allocated to the Cedar Lane project for Phases 1-3, because we believe that OEA's consideration of Phase 4 funding can be "unbundled" from consideration of Phases 1-3. This is particularly so since Phase 4 was described separately in the October 2011 SHA submission for the Cedar Lane reconstruction, which was approved by OEA in November.

We thus urge OEA to consider Phase 4 and Phases 1-3 as two components that are connected to the Cedar Lane project, but which can and should be reviewed and funded on a separate timetable.

The Locust Hill Citizens' Association's Interest

LHCA represents the residents of the Locust Hill community, which is in the quadrant bounded by the Beltway on the north and east, by Rockville Pike on the west, and Cedar Lane on the south. Phase 4's main feature is construction of an "auxiliary through lane" on Rockville Pike north of Cedar Lane. The northern end is a merge lane above Locust Hill Road that takes over 400 feet to taper back to the existing roadway width.

This construction would eliminate over 1,000 feet of a vegetated area between Rockville Pike and its service road (where residences are located), including the removal of several hundred feet of wooded hillside north of Locust Hill Road where there is a significant grade separation between the Pike and the service road. The hillside would be replaced with a concrete wall for the entire length of the service road, even beyond the end of the added lane under the latest plans shared with us.

In October 2011, SHA made a presentation to the LHCA membership based on the proposal it had submitted to OEA. It was that time that LHCA realized the full impact of the Phase 4 proposal, which included a sidewalk along Rockville Pike that would require the displacement of the service road several feet onto the front laws of many service road residents. (LHCA separately opposes construction of the sidewalk, should the auxiliary through lane ultimately be built, notwithstanding LHCA's concerns.)

Following the October meeting, LHCA established a Special Committee on Traffic and BRAC Impacts. Based on the committee's report, on March 12, 2012, the LHCA membership unanimously adopted a resolution directing the committee to challenge Phase 4 as proposed by SHA, and to retain a traffic engineer to provide an engineering assessment. LHCA retained Mr. Joseph Cutro, the former chief traffic engineer of the City of Rockville. His report was shared with SHA in early May and subsequently discussed with SHA staff members. Mr. Cutro's report and c.v. are attached.

Mr. Cutro summarized his findings as follows:

I have concluded that only under particular circumstances – the removal of the traffic signal at MD 355 and North Wood Road – could a northbound auxiliary through lane provide any capacity benefit at the MD 355/Cedar Lane ... intersection. Such a benefit would be slight, confined to evening weekday peak hours only, and would likely be more than offset by coincident safety impacts along with physical impacts to the western edge of your neighborhood. *Conversely, retention of the traffic signal at MD 355/North Wood Road, apparently a highly likely scenario, would leave the auxiliary through lane with no value of any kind.* Page 1, emphasis added.

As a consequence:

It is my recommendation to all interested agencies, including the SHA and the U.S. Department of Defense, that the northbound auxiliary through lane not be built, and dropped from further consideration as a congestion reduction strategy for the MD 355/Cedar Lane intersection. Funding for Phase 4 of the project should be re-directed toward more effective and appropriate traffic flow enhancements within the MD 355/Cedar Lane project area. *Id.*

In this regard, Mr. Cutro noted, at pages 7-8: "There appears to be some promise, for example, to providing an additional (4th) lane on northbound MD 355 between Wilson

Drive and North Wood Road, particularly if the signal at North Wood Road remains in service."

In our review meeting, SHA in general did not disagree with Mr. Cutro's key points, or regarded them as the application of engineering judgment. However, SHA did note that they were assessing the benefits of Phase 4 using recent traffic data and a different computerized traffic simulation tool. To use a new model to justify the auxiliary through lane on a stand-alone basis, however, avoids a key finding by Mr. Cutro (unchallenged by SHA) that if the North Wood Road were to remain in service, the result "would leave the auxiliary through lane with no value of any kind."

LHCA believes that SHA's reliance on a scenario in which the signal is turned off—or turned off without any improvements at the North Wood Road intersection—is an artifact of the project's history.

Initially, the auxiliary through lane was proposed in an environment where no North Wood Road exit signal was to exist. It is our understanding that, in 2010, the Navy requested it, and SHA appears to have assumed the light would be a temporary "fix" until the Cedar Lane projects were constructed. Then, in 2011, the actual protocol for the signal came into being, deferring its future to the evaluation of traffic studies to be undertaken in 2015. SHA stated its perspective in February 2012 correspondence with LHCA that it "anticipates" that the signal light will be turned off at that time. However, such a position assumes the results of the 2015 tests—and if the answers could be known now, of course, no future testing would be needed.

Finally, one reason SHA may expect the signal to be turned off is that it has failed to conduct analyses of improvements to the North Wood Road intersection that could facilitate traffic flow through the intersection—and permit the exit signal to remain on with a reduced potential for impacts, if any, on Rockville Pike traffic. SHA's failure to conduct such studies, we believe, necessitates OEA's deferral of a Phase 4 funding decision unless and until alternatives to the auxiliary through lane are analyzed.

LHCA's Request

Based on the above considerations, we respectfully request that you urge OEA to review SHA's Cedar Lane Phase 4 intersection funding proposal with the objective of:

1. Deferring a Phase 4 funding decision until SHA undertakes an alternatives review addressing the traffic mitigation cost-effectiveness of each alternative, including environmental, community, and traffic safety impacts; such a review should include a scenario in which the North Wood Road exit signal remains on and OEA construction funding allocated to Phase 4 is potentially redirected toward any necessary improvements that would facilitate traffic flow through that intersection if the exit signal were to remain on;

2. Assuring SHA that any plans resulting from the above alternatives analysis would be considered "in scope" with respect to the allocation of funds to the Cedar Lane project approved by OEA in November 2011;
3. Permitting SHA to "unbundle" Phase 4 funding from funding for Phases 1-3, so that decisions regarding the latter can be made on a separate and more rapid schedule; and
4. Requiring SHA to work with the Locust Hill community to minimize any impacts from Phase 4.

Finally, we request that you forward this letter with your comments not only to OEA, but to the Federal Highway Administration, which we understand is coordinating with OEA to review NEPA submissions submitted by SHA in conjunction with its proposal.

If you have any comments or questions, do not hesitate to contact me at jturner@hilltopconsultants.com, 202-431-6193.

Thank you very much for your consideration of these concerns of the Locust Hill Community.

Sincerely,



Jim Turner
President, Locust Hill Citizens' Association

Attachments

Cc: Hon. Patrick J. O'Brien, Office of Economic Adjustment (with attachments)